

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
ROBERT BUTTERWORTH,)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 1:04-CV-10425 MEL
WESTON RACQUET CLUB, INC., 40)	
LOVE, INC. AND RICHARD J. TRANT,)	
Defendants.)	
_____)	
_____)	
WESTON RACQUET CLUB, INC.,)	
Plaintiff-in-Counterclaim,)	
)	
v.)	
)	
ROBERT BUTTERWORTH,)	
Defendant-in-Counterclaim..)	
_____)	

JOINT MOTION TO MODIFY SCHEDULING ORDER

All of the Parties to this action hereby jointly move this Court to modify the Scheduling Order in this case by extending each deadline by ninety (90) days. As reasons for this motion, the Parties state:

1. The Parties would benefit from additional time to complete written discovery, and wish to extend the other deadlines in the Scheduling Order accordingly.
2. The Parties have not previously extended the deadlines in the Scheduling Order.
3. This joint motion is intended to supersede, and, if granted, makes moot Plaintiff's June 14, 2005 Motion to Modify Scheduling Order.
4. According to the existing Scheduling Order, the Parties were to adhere to the following schedule:

- (a) Document requests and interrogatories, if any, and responses thereto to be served on or before June 15, 2005.
- (b) Depositions to be completed by October 15, 2005.
- (c) Motions to dismiss and motions to amend to be filed on or before June 15, 2005.
- (d) Motions for summary judgment to be served and filed on or before January 15, 2006.

If this Joint Motion is granted, the Parties would adhere to the following new schedule:

- (a) Document requests and interrogatories, if any, and responses thereto to be served on or before September 13, 2005.
- (b) Depositions to be completed by January 13, 2006.
- (c) Motions to dismiss and motions to amend to be filed on or before September 13, 2005.
- (d) Motions for summary judgment to be served and filed on or before April 15, 2006.

Wherefore, the Parties jointly and respectfully request that this Court modify the Scheduling Order by extending all deadlines by ninety (90) days.

Respectfully submitted,

The Plaintiff, Robert Butterworth
By his attorneys

Defendant and Counterclaimant Weston
Racquet Club, Inc. and Defendant 40 Love, Inc.
and Richard J. Trant
By their attorney,

/s/ Joseph L. Edwards, Jr
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Date: June 23, 2005